DEMOLITION OF UNSAFE STRUCTURES ACT

CHAPTER 35:55

Act
48 of 1978

Current Authorised Pages

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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

Note

This Act has effect notwithstanding sections 4 and 5 of the Constitution and has been certified by the Clerk of the House of Representatives and the Clerk of the Senate to have been enacted in compliance with section 13(2) of the Constitution.

CHAPTER 35:55

DEMOLITION OF UNSAFE STRUCTURES ACT

An Act to provide for the demolition of unsafe structures. 48 of 1978.

[13TH DECEMBER 1978] Commencement.

WHEREAS it is enacted *inter alia* by section 13(1) of the Constitution that an Act of Parliament to which that section applies may expressly declare that it shall have effect even though inconsistent with sections 4 and 5 of the Constitution and, if any such Act does so declare, it shall have effect accordingly:

And whereas it is provided by section 13(2) of the Constitution that an Act of Parliament to which that section applies is one the Bill for which has been passed by both Houses of Parliament and at the final vote thereon in each House has been supported by the votes of not less than three-fifths of all the members of that House:

And whereas it is necessary and expedient that this Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution:

1. (1) This Act may be cited as the Demolition of Unsafe Structures Act. Short title.

(2) This Act shall have effect even though inconsistent with sections 4 and 5 of the Constitution. Variance of Act with Constitution.

2. In this Act— Interpretation.

"Industrial Inspections Supervisor" means the chief inspector of factories within the meaning of the Factories Ordinance; Ch. 30 No. 2. (1950 Ed.).

"Minister" means the Minister responsible for Public Works and Buildings.

Minister may demolish structures.

3. (1) Notwithstanding any law to the contrary, the Minister may after giving twenty-four hours public notice and on the unanimous advice of the Chief Technical Officer in his Ministry, a professional engineer nominated for the purpose by the Association of Professional Engineers of Trinidad and Tobago and the Industrial Inspections Supervisor cause to be demolished without the consent of the owner or occupier any structure or part of the structure that is in a ruinous, dilapidated or otherwise unsafe condition and constitutes an immediate danger to persons in the vicinity and the cost of such demolition shall be recoverable from the owner as a civil debt.

(2) Where the unsafe condition of a structure is the result of a fire, demolition may be effected only if, in addition to the advice referred to in subsection (1), the Chief Fire Officer also so advises.